



DATE ALLOWED: July 2, 2004

Docket No.: 244942US2

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



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RE: Application Serial No.: 10/700,770

Applicants: Shigeki KOMORI

Filing Date: November 5, 2003

For: MANUFACTURING METHOD OF A
SEMICONDUCTOR DEVICE CAPABLE OF
ACCURATELY SETTING A RESISTANCE VALUE
OF A RESISTANCE ELEMENT

Group Art Unit: 2825

Examiner: I. U. Anya

SIR:

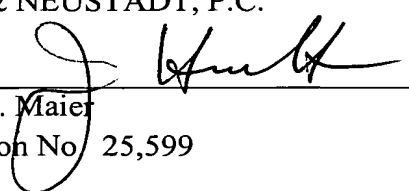
Attached hereto for filing are the following papers:

PETITION UNDER 37 CFR §1.181(a)(3) RE: REASONS FOR ALLOWANCE

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



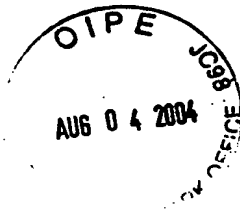
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DOCKET NO: 244942US2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
SHIGEKI KOMORI : EXAMINER: I. U. ANYA
SERIAL NO: 10/700,770 : DATE ALLOWED: JULY 2, 2004
FILED: NOVEMBER 5, 2003 : GROUP ART UNIT: 2825
FOR: MANUFACTURING METHOD OF :
A SEMICONDUCTOR DEVICE CAPABLE
OF ACCURATELY SETTING A
RESISTANCE VALUE OF A
RESISTANCE ELEMENT

PETITION UNDER 37 CFR §1.181(a)(3) RE: REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant respectfully petitions in accordance with 37 CFR §1.181(a)(3) to compel reconsideration by the Examiner of his/her comments on statement of reasons for allowance (CSRA).

37 CFR §1.181(a)(3) allows petition to invoke the supervisory authority of the Commissioner in appropriate circumstances.

In the present case, the Examiner's CSRA appears to inappropriately mis-characterize the invention by placing an unwarranted interpretation of the claims on record. Specifically, the Examiner states the following on page 2 of the Notice of Allowability:

"claims 1-11 are allowable because prior art does not teach simultaneously forming an HDD and setting the resistance of a resistance element using one impurity implantation."

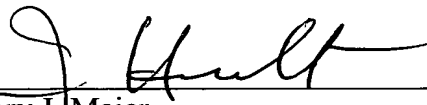
Application No. 10/700,770
Reply to Notice of Allowance of July 2, 2004

A careful review of the language in the claims fails to support the specific language of the Examiner's "reasons for allowance". In an effort to avoid any erroneous interpretation which may inappropriately limit the claims, should this issued application ever become involved in litigation, this is an appropriate circumstance in which to invoke the supervisory authority of the Commissioner to compel the Examiner to reconsider his/her CSRA.

Accordingly, it is respectfully submitted that this Petition Under 37 CFR §1.181(a)(3) be granted compelling the Examiner to reconsider his/her CSRA and thereby issue a corrected supplemental CSRA.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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